

REMARKS

Claims 1-11 are pending in this application. Claims 1-2 and 9-11 have been withdrawn as being directed to a non-elected invention. By this Amendment, claims 3-4 and 6-7 are amended. No new matter is added.

Applicants thank the Examiner for the indication that claims 7 and 8 would be allowable if rewritten in independent form. Applicants have rewritten claim 7 in independent form.

The Office Action objects to claim 6 for containing asserted informalities. Applicants have changed "said anvil roller" and "the said running surface" at line 3 at claim 6 to read --an anvil roller-- and --a running surface--, respectively. Reconsideration and withdrawal of the objection to claim 6 are respectfully requested.

The Office Action rejects claims 3-5 under 35 U.S.C. § 103(a) as being obvious over Majkrzak (U.S. Patent No. 6,294,038) in view of Voy et al. (U.S. Patent No. 5,351,426). The Office Action also rejects claim 6 under 35 U.S.C. § 103(a) as being obvious over Majkrzak and Voy et al. and further in view of Nash (U.S. Patent No. 5,674,345). These rejections are traversed as they may apply to the amended claim.

The present claims 3-6 require "an adhesive applier for applying pressure-sensitive adhesive to a label-material sheet composed of only label material" and that the "adhesive applier applies pressure-sensitive adhesive to an area within the outline of, and smaller than, each label portion of the label material sheet" (see claim 3).

Thus the present claims require that the adhesive be applied to the label-material sheet.

As the Office Action notes, "Majkrzak is silent as to the adhesive applier applying the pressure-sensitive adhesive to... the sheet material..." (see the sentence bridging pages 2-3 of the Office Action).

Applicants submit that Voy et al. fails to make up for the deficiencies in Majkrzak. In particular, Voy et al. does not teach or suggest that the adhesive applier apply pressure-sensitive adhesive to a label-material sheet composed of only label material. Instead, Voy et al. disclose that "adhesive is applied to the surface of the carrier sheet" (see Voy et al. column 9, lines 22-23).

However, Voy et al. do mention that, before the element and carrier sheets are joined, "the method can be modified so that the zone of adhesive for each label is applied directly to the back surface 84 of the element sheet 81 by the adhesive printing head 41 after the application of the print 100 to the back surface" (column 10, lines 30-34).

In either case, the Voy et al. "element and carrier sheets 81 and 91 respectively are adhesively married [and]... they form a web 110... [that] is passed through the die cutting stations 55..." "(see column 10, lines 35-59).

As the Office Action notes, the Voy et al. adhesive between the label and carrier sheet are spaced from the outer periphery. The Office Action thus asserts that the Voy et al. system would work in the Majkrzak system "to prevent problems concerning migration of the adhesive past the periphery of the label, as well as to prevent jamming the die assembly with adhesive" (see page 3 of the Office Action).

However, Majkrzak "requires only that a linerless label sheet 22 be fed towards cutter 48... [and the] die cutter 48 faces the adhesive face of the linerless label 22 ... to cut the sheet of linerless label 22" (see column 9, line 63 to column 10, line 3).

Applicants believe that the Voy et al. system would not be expected to work and/or achieve its objectives without the use of the carrier sheet. Voy et al. nowhere teaches or suggests that there system could be used without liners.

Thus, Applicants respectfully submit that it would not have been obvious to modify the Majkrzak linerless label system to use the lined labels of Voy et al.

However, in order to expedite prosecution of this application, Applicants have amended claim 1 to further define the claimed invention. In particular, claim 1 has been limited to hot melt adhesive; to use a label-material sheet composed of only label material and apply adhesive just before cutting out and applying; and hot melt adhesive is applied only to area within the outline of, and smaller than, each label portion to be cut out by the die cutter; and the label-pasting devices produces labels without being peeling-off paper.

Labels are produced without using peeling-off paper and hence enable low-cost label pasting. In addition, hot melt adhesive is prevented from overflowing the edge of label even when temperature and hence enable to maintain quality control.

These effects are indispensable for opening and closing an opening of the package repeatedly.

For at least the above reasons, reconsideration and withdrawal of the rejection of claims 3-5 and 6 under 35 U.S.C. § 103 are respectfully requested.

Applicants submit that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully request that the Examiner contact the undersigned attorney by telephone if it is believed that such contact will expedite the prosecution of the application.

In the event that this paper is not considered to be timely filed, Applicants hereby petition for an appropriate extension of time. The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to our Deposit Account No. 01-2300, **making reference to attorney docket number 107390-00005.**

Respectfully submitted,

A handwritten signature in black ink, reading "Robert K. Carpenter", written over a horizontal line.

Robert K. Carpenter
Registration No. 34,794

Customer No. 004372
ARENT FOX PLLC
1050 Connecticut Avenue, N.W., Suite 400
Washington, D.C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810

RKC/tdd